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# MONTANA SCHOOLS

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HARRIET MILLER  
Superintendent

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LEGISLATIVE NEWS . . . This edition, compiled January 27, refers to the status of education bills on that date; this status will have changed for some bills by the time this issue is received . . . consult your daily newspaper for later news.

PASSED BY THE HOUSE (now in Senate Education Committee):

HB 11\* -- Would delete from the law that portion which, if enforced, would prevent any school from receiving federal impact funds, because such funds would reduce or replace state and/or county equalization aid as present law is worded. Portion being deleted, enacted 1949, has never been applied, so HB 11 would make law correspond with established practice.

HB 12\* -- Would change deadline for publication of County Superintendent's annual financial report for school districts from 30 to 90 days after close of school year, and would revise content of report to fit present finance laws.

HB 28\* -- Would remove financial penalty for schools operating 186 to 190 days (by removing the 185-day divisor from the ANB formula for the Foundation Program), and would require at least five children for the opening of a new school.

HB 34\* -- Would help finance special education for the handicapped by requiring the district of residence to pay tuition to the district providing special classes for children not living in the special education district.

HB 38\* -- Would attach to teacher-contract violations occurring before school starts the same penalties now attached to such violations occurring in mid-year.

HB 51\* -- Would apply to high schools the same provisions existing for elementary schools, in that all high schools within one incorporated city would be considered a school unit for budget purposes.

PASSED BY THE SENATE (now in House Education Committee):

SB 23\* -- Would permit foreign teachers to teach for one-year periods in elementary schools (now permitted for high schools and university system), to alleviate shortage of foreign language teachers and to make it possible for Montana elementary teachers to participate in foreign exchange programs.

SB 49\* -- Would repeal outmoded report by County Superintendent to State Treasurer.

\* Recommended by Superintendent of Public Instruction Harriet Miller in 1960 Biennial Report.

PASSED BY THE SENATE (now in House Education Committee):

Substitute SB 37 -- Would give school boards legal authority to establish school safety patrols and exempt from liability school authorities and pupils, should injury result from operation of safety patrol.

SB 50\* -- Would repeal outmoded provision for a tax levy for textbooks.

SB 51\* -- Would make school laws agree with motor vehicle laws on requirement that school bus drivers be at least 21 years old.

ACTED ON FAVORABLY BY FIRST COMMITTEE (but not yet voted on by either house):

HB 108\*\* -- Would repeal mandatory requirement for the holding of teachers' institutes by County Superintendents.

SB 24\* -- Would place social security in the school district retirement fund instead of general fund, thus effectively increasing the Foundation Program statewide by 2.5%.

SB 88\* -- Would define residence for the purposes of taking the school census.

SB 89\* -- Would define residence for purposes of elementary school tuition.

SB 105\* -- Would define residence for purposes of school transportation.

IN HOUSE EDUCATION COMMITTEE:

HB 55\* -- Would authorize a 35% reserve in the transportation fund budget.

HB 66 -- Would require the bachelor's degree for certification of elementary teachers beginning July 1, 1962.

HB 142 -- Would permit trustees of a high school district to decide upon special levy without calling in the trustees of the common school districts.

HB 154 -- Would submit to the voters a constitutional amendment to eliminate the office of County Superintendent of Schools from election.

HB 159\* -- Would permit the transportation budget to include a contingency item of 10% of schedule, or no less than \$100, to pay costs of services for pupils not in the district at budget time and not provided for otherwise in the budget.

HB 160\* -- Would authorize emergency budget for other emergency situations than the four now specified by law, primarily to provide for sudden influx of population.

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\* Recommended by Superintendent of Public Instruction Harriet Miller in 1960 Biennial Report.

\*\* In agreement with principles recommended in Superintendent's Biennial Report, but differing in one or more details.

IN HOUSE EDUCATION COMMITTEE:

HB 170\*\*\* -- Would change the deadline for registering teaching certificate with County Superintendent from 10 days after start of school to later date.

HB 173\* -- Would clarify and simplify the provisions of the school budget act; also provides for increasing the permissive amount of the general fund budget by 10 percentage units or 5 mills, for establishing a reserve fund for the transportation budget, for reducing to one the number of budgets necessary for a non-operating district, and for permitting a district with federal funds more than adequate to pay all district levies to budget the excess funds without holding an election.

HB 177\* -- Would remove fine and jail sentence for teachers failing to clean outhouses.

HB 178 -- Would raise elementary tuition responsibility of resident district to the actual per pupil cost of the educating district.

HB 179\* -- Would require County Treasurer to keep separate the funds of the school districts, and to make financial reports in accordance with the budget time schedule.

HB 181\*\* -- Would raise mileage for county and state employees and officers from 7¢ to 10¢ per mile.

HB 183 -- Would permit trustees to retire teachers 65 years old by September 1, or to retain teachers until the age of 70.

HB 200\*\*\*\* -- Would provide \$25,000 for experimental work in educational television in Montana schools, by Superintendent of Public Instruction and Board of Education.

HB 208\* -- Would permit Superintendent of Public Instruction to sell, at cost, copies of the school laws, and to authorize printing as needed instead of every 4 years.

HB 213 -- Would raise high school tuition responsibility of resident county to the actual per pupil cost of the educating high school.

HB 220 -- Would provide for reorganization of Montana school districts, according to the plan proposed by the Governor's Committee on School District Reorganization.

HB 231 -- Would raise architects' fees for buildings, including schools.

HB 269\*\* -- Would permit commissioners of third, fourth and fifth class counties to raise county salary schedule up to \$600 per year.

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\* Recommended by Superintendent of Public Instruction Harriet Miller in 1960 Biennial Report.

\*\* In agreement with principles recommended in Superintendent's Biennial Report, but differing in one or more details.

\*\*\* In accordance with recommendations of Superintendent's Teacher Supply Committee

\*\*\*\* In accordance with recommendations of Superintendent's Educational Television Committee

IN HOUSE EDUCATION COMMITTEE:

HB 283\* -- Would remove restriction now preventing more than one change in territory of a school district in any year.

HB 297\* -- Would set minimum school year at 180 days, with State Board of Education to establish requirements for a "school day."

HB 321\* -- Would establish bonus payments from state funds to school districts for voluntary consolidation in accordance with incentive plan.

HB 341\* -- Would provide state transportation reimbursements out of earmarked appropriation to state public school equalization fund up to one-third of district's schedule cost, with up to two-thirds for special education transportation.

HB 349\* -- Would provide uniform procedures for changing school district boundaries, to eliminate conflicts and confusion of present laws and expedite voluntary consolidation of school districts.

HB 358\* -- Would provide a uniform and specifically-defined procedure for budgeting in joint school districts.

HB 418 -- Would require an annual health certificate for teachers.

HB 419 -- Would give teachers tenure after four years instead of after three, and would remove tenure provisions for principals.

HB 424 -- Would raise the compulsory school attendance age from 16 to 18 years, or through grade 12 instead of grade 8, and would require attendance at an accredited school.

IN SENATE EDUCATION COMMITTEE:

SB 61 -- Would make Veterans' Day a school day instead of a holiday.

SB 62 -- Would permit use of federal impact funds in the school lunch fund budget for providing free lunches to indigent children.

SB 76 -- Would establish minimum sick leave for teachers, of 5 days per year up to accumulated total of 30 days.

SB 93 -- Would require high school with ANB of 24 or less to be declared isolated to receive state aid.

SB 94 -- Would permit high schools receiving federal reimbursements in lieu of taxes to finance the permissive amount between the millage limit and percentage limit by such federal funds, and would require allocations of these funds by County Board of Budget Supervisors.

SB 95 -- Would apply to elementary schools the same provisions that SB 94 would apply to high schools.

SB 106\* -- Would define residence for purposes of high school tuition.

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\* Recommended by Superintendent of Public Instruction Harriet Miller in 1960 Biennial Report

IN SENATE EDUCATION COMMITTEE:

SB 121 -- Would extend the permissive amount of the general fund budget of a school receiving Public Law 874 funds and restricted by the millage limitation, to the permissive percentage or to a maximum determined by the amount of federal funds.

SB 131 -- Would change time of state equalization payments to schools from twice a year to three times a year, with one-quarter of the payment to be made by January 31, one-quarter by March 31, and one-half by June 30.

SB 147\* -- Would raise from \$6,000 to \$7,500 the ceiling on teachers' salaries considered "earnable compensation" for retirement system purposes.

SB 152 -- Would establish a ceiling on high school tuition payments for attendance in neighboring states, equivalent to maximum within Montana.

SB 157 -- Would raise from 12 to 24 the number of scholarships available annually for Indian students at Montana university units.

SB 160 -- Similar to HB 424 to raise school attendance age to 18 years, or through grade 12, at an accredited school.

SB 197 -- Would require all high schools to provide in-class driver training, with 10% of fines to go to school districts on basis of participating students.

IN SENATE CONSTITUTION & ELECTIONS COMMITTEE:

SB 7 -- Would submit to the voters a constitutional amendment to remove the university system from the supervision of the State Board of Education (ex officio Board of Regents) and to establish a separate Board of Regents for the university system.

SB 165 -- Would submit to the voters a constitutional amendment allowing the Legislature to establish qualifications for the office of State Superintendent of Public Instruction.

KILLED:

HB 74 -- Would have placed the office of Superintendent of Public Instruction under the State Board of Education; adverse committee report.

HB 75\*\* -- While attempting to provide for increased budgeting authorization by adding to a school's ANB the enrollment increase anticipated for next year, this bill as written would have prevented county equalization from operating. Despite Department of Public Instruction efforts to have this bill amended to make it workable, it was killed in committee.

HB 103\* -- Would have permitted high schools in high school districts the same privilege now afforded all other schools in holding a second election to approve a special levy for maintenance and operation; adverse committee report.

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\* Recommended by Superintendent of Public Instruction Harriet Miller in 1960 Biennial Report.

\*\* In agreement with principles recommended in Superintendent's Biennial Report, but differing in one or more details.

## GENERAL SCHOOL FINANCE BILLS

Without making any change in the method of financing established by the Foundation Program, SB 110 and HB 372 would provide adjusted increases in the Foundation Program schedule. . . . With the state revenue now in sight for paying the state's obligation to schools, the schedule increase proposed by HB 372 would result in a state equalization level of 98% in 1961-62 and 1962-63 . . . the schedule increase proposed by SB 110 would result in a state equalization level in 1961-62 of 86%, and in 1962-63 of 85%.

Another proposal to increase budgeting authorization without changing the present finance system is that of increasing the permissive amount of the general fund budget from 30% to 40% of the Foundation Program for elementary schools and small high schools, and from 25% to 35% for larger high schools, with corresponding increases in the millage limitations from 15 mills to 20 mills (elementary) and from 10 mills to 15 mills (high schools). . . . This proposal is one of the provisions incorporated in HB 173. If the Foundation Program schedule should not be increased, HB 173 would provide a means of raising the permissive limit for all schools.

Changes in the present financing system are proposed in SB 118, SB 134 and HB 373.

SB 118 would eliminate the 5-mill district levy and 10-mill county levy for elementary schools and replace these with a 15-mill county levy, to be distributed by a formula different from the present equalization method. . . . The proposed formula would make every district eligible for 50% of its Foundation Program from state funds, and all districts would share in any state deficiency (instead of, as now, only those districts eligible for less than 50% of their Foundation Programs from state funds). . . . With state revenues as presently anticipated, this method would result in a state equalization level of about 95% for the next two years.

SB 134 would change from 50% to 55% the maximum proportion of the Foundation Program which the state could finance for any district. With state revenues as presently anticipated, the state equalization level under this method would be 92%.

HB 373 would distribute \$1,681,920 in state funds next year, and \$1,740,259 the following year, on a per capita enrollment basis, unrelated to the Foundation Program. The proposal has not been clarified as to whether these payments would reduce a district's entitlement to state aid under the Foundation Program. . . . If these amounts should be deducted from the Foundation Program funds, the state equalization level in the next two years would be 88%.

HB 437 would appropriate \$9,897,350 and \$10,574,852 to the State Public School Equalization Fund for 1961-62 and 1962-63, respectively. While said to be adequate to provide 100% equalization under the present Foundation Program schedule, the proposed appropriation is about \$0.3 million short of the 100% requirement.

HB 374 would appropriate \$8,215,430 and \$8,834,593 to the State Public School Equalization Fund for 1961-62 and 1962-63, respectively. These amounts would be the remainder from the appropriation in HB 437, if the amounts in HB 373 are taken from the total available for appropriation to the state public school equalization fund. HB 374 would be an alternate, not an addition, to HB 437.

Also affecting the Foundation Program is SB 24, which, by transferring social security to the retirement fund, would in effect increase the Foundation Program an average of 2.5%, without causing the state equalization level to drop.